

### **REMARKS**

Claims 1-17 are pending in this application. Claims 1, 4, 13, and 17 are independent. In light of the amendments and remarks made herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner objected to claims 9 and 14-16 based on minor informalities; rejected claims 1-3, 6-12 and 17 under 35 U.S.C. §102(b) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as being unpatentable over, *Noguchi et al.* (USP 4,978,980); and rejected claims 4-5 and 13-16 under 35 U.S.C. §103(a) as being unpatentable over *Noguchi et al.* in view of *Yasui et al.* (USP 5,839,032). Applicants respectfully traverse these rejections.

### **Preliminary Comments**

This amendment is being filed together with a Request for Interview. Applicants respectfully request the Examiner contact Applicants' representative to schedule and conduct an Interview prior to any formal consideration of the arguments set forth herein on the record.

### **Claim Objections**

The Examiner objected to claims 9 and 14-16 based on minor informalities. By this amendment, Applicants have amended the claims to correct the minor informalities. Based on these amendments, Applicants respectfully request the outstanding objections be withdrawn.

### **Claim Rejections – 35 U.S.C. §102(b)**

In support of the Examiner's rejection of claim 1, the Examiner admits that *Noguchi et al.* fails to state "the intermediate roller which is in synchronism with a resumption of rotation of the resist roller." The Examiner, however, asserts that the use of the intermediate roller which is synchronizing with the presumption of rotation of the resist roller is necessary to provide an

operative two-side image forming apparatus or a paper jam would occur. Applicants respectfully disagree with the Examiner's assertions.

Noguchi et al. discloses a method of controlling a both-surface recording apparatus and its object is to provide a both-surface recording apparatus, which keeps the throughput the highest. The apparatus of Noguchi et al. is arranged such that recording of different pages is continuously effected on a first surface of each of plural new recording media until the first recording medium on a first surface of which recording has been effected again arrives at the entrance to the recording means. Thereafter, recording of a page subsequent to a page of the first surface of said first recording medium is effected on a second surface of the first recording medium, whereafter, recording on the first surface of another new recording medium and recording of a page on a second surface of the recording medium which is subsequent to the page of the first surface of which recording has been alternatively effected (See claim 1 of Noguchi et al.)

The Examiner alleges that roller 504 (Figs. 21 to 28) described in Noguchi et al. corresponds to the resist roller of the present invention. However, Noguchi et al. does not provide **any** explanation of roller 504 and does not describe the **resumption** of the rotation of the resist roller. In fact, Noguchi performs the recording continuously to keep the throughput highest. Thus, Noguchi et al. teaches away from stopping the rotation temporally in order to resume rotation of the resist roller.

As Noguchi et al. fails to teach or suggest all of the claim elements, including "a rotation of the intermediate roller is in synchronism with a resumption of the rotation of the resist roller," as required by claim 1, Applicants respectfully submit that claim 1 is not anticipated by Noguchi et al. It is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2-3, 5-8 and 12 are allowable for the reason set forth above with regard to claim 1 at least based on their dependency on claim 1. Claims 4, 13 and 17 include elements similar to elements discussed above with regard to claim 1 and thus

Application No. 10/681,167  
Amendment dated October 11, 2007  
Reply to Office Action of July 11, 2007

Docket No.: 1248-0674P

these claims, together with claims dependent thereon, for the reasons set forth above with regard to claim 1.s

### Conclusion

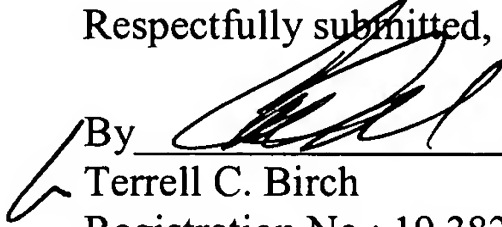
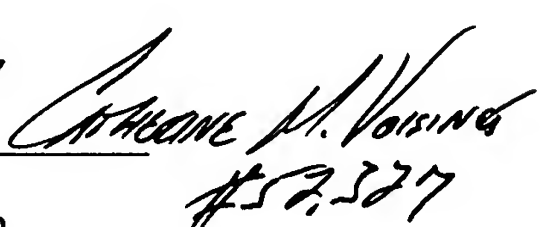
In view of the above remarks, it is believed that claims are allowable.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

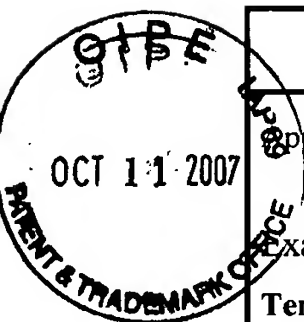
If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: October 11, 2007

Respectfully submitted,

By    
Terrell C. Birch  
Registration No.: 19,382  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicants

#52,327



## Applicant Initiated Interview Request Form

Application No.: 10/681,167-Conf. #6469 First Named Applicant: Yasuaki FUKADA  
Examiner: A. H. Nguyen Art Unit: 2854 Status of Application: Non-Final Office Action mailed July 11, 2007

### Tentative Participants:

(1) Examiner Nguyen (2) Catherine M. Voisin  
(3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: \_\_\_\_\_ Proposed Time: \_\_\_\_\_ (AM/PM)

### Type of Interview Requested:

(1) ☐ Telephonic (2) ☒ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☐ NO

If yes, provide brief description: \_\_\_\_\_

## Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>35 USC § 102(b)</u>	<u>1-3, 6-12 and 17</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>35 USC § 103(a)</u>	<u>1,2 and 17 6-12</u>	<u>Noguchi et al.</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>35 USC § 103(a)</u>	<u>4,5 and 13-16</u>	<u>Noguchi et al. in view of Yasui et al.</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

### Brief Description of Arguments to be Presented:

Claims are patentable over cited art for the reasons set forth in Applicant's concurrently filed Reply.

An interview was conducted on the above-identified application on \_\_\_\_\_.

### NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP §713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

\_\_\_\_\_  
Applicant/Applicant's Representative Signature

\_\_\_\_\_  
Examiner/SPE Signature

\_\_\_\_\_  
Typed/Printed Name of Applicant or Representative

\_\_\_\_\_  
Registration Number, if applicable